

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

SUITS –LA – AMRP – Nalgonda District - O.P.No.78/1987 pertaining to Chamlonibavi (Village) H/o.Vattikode, Gurramode (Mandal) - Sanction of decretal amount of **Rs.3,51,088/-** - Orders Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO.731

DATE: 27.09.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyderabad Lr.No.G3/636/2008
dated 31.07.08 along with the proposal of the Spl.Collector, LA, Nalgonda.

O R D E R:

The Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted proposal for sanction of decretal charges in respect of O.P.No.78/1987 pertaining to Chamlonibavi (Village) H/o.Vattikode, Gurramode (Mandal) of Nalgonda District. The brief history of the case is that the SDC/LAO, Deverkonda had acquired an extent of Ac.85.28 gts situated in Chamlonibavi (V) Gurramode (M) for excavation of SLBC canal by fixing the Market value Rs.6,500/- per acre vide Award No.9/87, dt:19.02.1987. The awardees have filed U/s 18 and the same were sent to the Sub-ordinate Judge, Nalgonda. The Sub-ordinate Judge, Nalgonda in his judgment and decree dt:30.04.1993 has enhanced the market value from Rs.6,500/-per acre to Rs.20,000/- per acre with statutory benefits. Aggrieved with the judgment, the SDC (LA) AMRP, Unit-II, Nalgonda preferred an Appeal before the Hon'ble High Court. The Hon'ble High Court granted interim stay on condition that the appellant deposit half of the compensation awarded to the credit of O.P.No.78/87 on or before 11.11.2006. Accordingly, the Special Collector was sanctioned 50% of the decretal charges and deposited the same in the concerned court. Finally, the Hon'ble High Court of A.P, Hyderabad has dismissed the appeal preferred by Land Acquisition Officer and confirmed the Judgment passed by the reference court.

2) After careful examination of the matter, Government hereby accord administrative sanction for an amount of **Rs.3,51,088/- (Rupees three lakhs fifty one thousand and eighty eight only)** towards decretal charges in respect of O.P.No.78/1987 pertaining to Chamlonibavi (V) H/o.Vattikode, Gurramode (Mandal) of Nalgonda District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, LA, Nalgonda District is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.78/1987 for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701 – Capital outlay on Major and Medium Irrigation–01 – Major Irrigation (Commercial) – M.H.125 – SLBC – SH (27) – Canals and Distributaries – 530 – Major works - 532 (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.3857/F.5 (A1)//2008-1, dated 06.09.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, LA, Nalgonda District.
The District Collector, Nalgonda District
The Engineer-in-Chief, Irrigation, Erramanzil, Hyderabad.
The Land Acquisition Officer & SDC, AMRP Unit-II, Nalgonda Dist.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.22750/LA-III(A2)/2008.
SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER